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Sectoral policy questions: preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin

Draft resolution submitted by the Vice-Chairman of the Committee, Mr. Bruno van der Pluijm (Belgium), on the basis of informal consultations held on draft resolution A/C.2/57/L.9

Preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin

The General Assembly,

Recalling its resolutions 54/205 of 22 December 1999 on the prevention of corrupt practices and illegal transfer of funds, 55/61 of 4 December 2000 on an effective international legal instrument against corruption, 55/188 of 20 December 2000 on preventing and combating corrupt practices and illegal transfer of funds and repatriation of such funds to the countries of origin and 56/186 of 21 December 2001 on preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin,

Deeply concerned about the seriousness of problems posed by corrupt practices and transfer of funds and assets of illicit origin, which may endanger the stability and security of societies, undermine the values of democracy and civil ethics and jeopardize social, economic and political development, particularly when an inadequate national and international response leads to impunity,

Recalling the Monterrey Consensus, adopted at the International Conference on Financing for Development, held at Monterrey, Mexico, from 18 to 22 March 2002,[1] which underlined that fighting corruption at all levels is a priority,

Underlining the fact that preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds is an important element in

[1] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

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the effective mobilization and allocation of resources for development in affected developing countries and in supporting their aims of poverty eradication and sustainable development,

Emphasizing the responsibility of Governments to adopt policies at the national and international levels aimed at preventing and combating corrupt practices, transfer of funds and assets of illicit origin and facilitating the return of such funds and assets to the countries of origin,

Recognizing the importance of international cooperation and instruments of international and national laws and legislation for combating corruption, bribery and money laundering in international commercial transactions,

1. *Takes note* of the report of the Secretary-General on prevention of corrupt practices and transfer of funds of illicit origin;[2]

2. *Encourages* all Governments to combat corruption, bribery, money laundering, the transfer of the illicitly acquired funds and assets and to work for the return of such funds and assets to the countries of origin, after request and due process, and welcomes the actions at the national and international levels taken by some Governments in this regard;

3. *Notes* the ongoing work of the Ad Hoc Committee for the Negotiation of a Convention against Corruption, whose terms of reference were adopted by the General Assembly in its resolution 56/260 of 31 January 2002, and urges an early completion of those negotiations to allow for the adoption of the convention by the General Assembly at its fifty-eighth session, and the celebration of the high-level political conference, to be held in Mexico by the end of 2003, for the purpose of signing the convention;

4. *Calls* for all efforts to promote good public and corporate governance at all levels, which is essential for sustained economic growth, poverty eradication and sustainable development worldwide;

5. *Also calls*, while recognizing the importance of national measures, for further international cooperation, inter alia, through the United Nations system, in support of efforts by Governments to prevent and address the transfer of funds of illicit origin, as well as to return such funds and assets to the countries of origin;

6. *Requests* the international community to support national efforts to strengthen human and institutional capacity and regulatory frameworks for preventing corruption, bribery, money laundering and the transfer of funds and assets of illicit origin, and to assist in the return of such funds and assets to the countries of origin;

7. *Requests* the Secretary-General to report to the General Assembly on this matter at its fifty-eighth session;

8. *Decides* to keep the matter under review and to include in the provisional agenda of its fifty-eighth session a sub-item entitled "Preventing and combating corrupt practices and transfer of funds of illicit origin and returning such assets to the countries of origin" under the item entitled "Sectoral policy questions".

[2] A/57/158.